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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONNIE HICKS,

Defendants.

CASE NO. 1:24-CR-00126-NODJ-BAM

STIPULATION TO RESET MATTER FOR CHANGE
OF PLEA AS TO DONNIE HICKS; AND ORDER

IT IS HEREBY STIPULATED by and between Michele Beckwith, Acting United States Attorney and Robert L. Veneman-Hughes, Assistant U.S. Attorney, as well as Robert Lamanuzzi, attorney for defendant DONNIE HICKS, that the status conference set for March 26, 2025 at 1:00 pm before the Honorable Barbara A. McAuliffe be vacated and the matter instead be set for April 7, 2025 at 9:00 a.m. before a district judge for change of plea as to HICKS only.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. The parties have reached a plea agreement and the schedule of the court and counsel makes the soonest available date for change of plea April 7, 2025.
2. By this stipulation, defendant now moves to vacate the status conference, and to exclude time from March 26, 2025 to April 7, 2025.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Defendant has agreed to enter a change of plea and desires to have his counsel

present and prepared for that hearing, and defense counsel needs the time requested in this morning to prepare for change of plea.

b) The government does not object to the continuance.

c) An ends-of-justice delay is particularly apt in this case because:

- The defendant has signed a plea agreement and the selected date is the soonest convenient date for court and counsel.

d) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of March 26, 2025 until April 7, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) because it results from a continuance granted by the Court at defendants' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendants in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Dated: February 7, 2025

Respectfully submitted,

MICHELE BECKWITH
Acting United States Attorney

By /s/ Robert L. Veneman-Hughes
ROBERT L. VENEMAN-HUGHES
Assistant United States Attorney

Dated: February 7, 2025

/s/ Robert Lamanuzzi
ROBERT LAMANUZZI
Attorney for Defendant Donnie HICKS

ORDER

IT IS SO ORDERED that the status conference set for March 26, 2025, is vacated. A change of plea hearing is set for **April 7, 2025, at 8:30 a.m. in Courtroom 5 before the District Court Judge**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: February 7, 2025

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE